

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JESSE HELTON; ALISHA PICCIRILLO;  
CHAD LOWE; individually and on behalf of  
all others similarly situated,

Plaintiffs,

vs.

FACTOR 5, INC.; FACTOR 5, LLC;  
BLUHARVEST, LLC; WHITEHARVEST,  
LLC; JULIAN EGGBRECHT; HOLGER  
SCHMIDT; THOMAS ENGEL; and DOES 1-  
100,

Defendants.

Case No: C 10-04927 SBA

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Docket 210, 222

On September 11, 2014, Plaintiffs filed a Motion for Attorney Fees' and Costs Under the FLSA. Dkt. 210. On September 18, 2014, this matter was referred to Magistrate Judge Joseph C. Spero ("the Magistrate") for a Report and Recommendation. Dkt. 213. On January 13, 2015, the Magistrate issued a Report and Recommendation in which he recommends granting Plaintiffs' motion and awarding \$113,120.00 in attorneys' fees and \$15,366.75 in costs. Dkt. 222.

Any objections to the report and recommendation of a Magistrate judge must be filed within fourteen days of receipt thereof. Fed.R.Civ.P. 72(a); 28 U.S.C. § 636(b)(1). The deadline to object to the Magistrate's Report and Recommendation was January 27, 2015. See Fed.R.Civ.P. 6(a)(1); Fed.R.Civ.P. 72(a); 28 U.S.C. § 636(b)(1). To date, no objection to the Report and Recommendation has been filed. In the absence of a timely objection, the Court "need only satisfy itself that there is no clear error on the face of the

1 record in order to accept the recommendation.” Fed.R.Civ.P. 72, Advisory Committee  
2 Notes (1983) (citing Campbell v. U.S. Dist. Court, 501 F.2d 196, 206 (9th Cir. 1974)); see  
3 also United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (“The statute [28  
4 U.S.C. § 636(b)(1)(C)] makes it clear that the district judge must review the magistrate  
5 judge’s findings and recommendations de novo *if [an] objection is made*, but not  
6 otherwise.”) (en banc). The Court has reviewed the record on its face and finds no clear  
7 error. Accordingly,

8 IT IS HEREBY ORDERED THAT the Magistrate’s Report and Recommendation  
9 (Dkt. 222) is ACCEPTED and shall become the Order of this Court. This Order terminates  
10 Docket 210 and Docket 222.

11 IT IS SO ORDERED.

12 Dated: 1/30/15

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge